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**Snohomish County**  
**Planning and Development Services**

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July 7, 2016

**EXEMPTION FROM  
SHORELINE MANAGEMENT ACT  
SUBSTANTIAL DEVELOPMENT PERMIT REQUIREMENT**

Washington State Department of Ecology (attn.: Chad Yunge)  
Bellingham Field Office  
1440 10<sup>th</sup> St. Suite 102  
Bellingham, Wa. 98225

Applicant  
Snohomish Conservation District  
Cindy Dittbrenner  
528 91<sup>st</sup> Ave NE  
Lake Stevens, Wa. 98258

PFN: 16-101983 SHOR (Snohomish River)

Project

The Snohomish Conservation District is requesting a Shoreline Management Substantial Development Permit Exemption pursuant to SCC 30.44.120(1)(o) as a watershed restoration project.

Project Location

The project will take place on agricultural land owned by one landowner (Moga Properties LLC) that is located on the right bank of the Snohomish River in Snohomish County, WA. The street address is 15106 Short School Rd, Snohomish, WA 98290. The specific Snohomish County parcels on which the project will occur are 27060600100400, 27060600100700 and portions of 27060500200400 and 27060500200800 (NOTE: A boundary line adjustment for portions of these latter two deeded the area west of Short School Rd to Greg Moga on 6/24/2014. Boundary Line Adjustment documents available upon request).

Latitude and Longitude: 47.859143 N lat / -122.076477 W long.



Section Township Range: NE quarter of section 6, Township 27N Range 06E.

#### Project Description

An agricultural access road currently acts as a levee, preventing fish access to historic side channels and isolating floodplain habitats from the Snohomish River. The proposed project will open the downstream end of a relict right-bank side-channel to the Snohomish River at river mile 15.7 to re-establish connection of aquatic and riparian habitat with the river and provide rearing habitat to juvenile Chinook and other salmonids and fish species. This project will reconnect 6.3 acres and 0.71 miles of off-channel habitat to the Snohomish River at normal flows. Project construction will include replacement of two barrier access road crossings with 12 ft. diameter round culverts, removal of a foot path barrier crossing (resulting in correction of three fish passage barriers), excavation of 0.55 miles of relic channel, placement of wood structures within the side channel, and planting of 5 acres of riparian forest. All construction activity would be staged on the existing farm road.

The side channel is currently acting as an occasional oxbow lake that is inundated only at high flood flows when both the dike is overtopped and water enters from the downstream end. Because it is disconnected during normal flow, the oxbow is likely not benefiting Chinook salmon and may strand fish. By removing the blockages at the downstream end, the channel will be re-connected with the mainstem river to serve as valuable off-channel refuge habitat. While our long-term goal for the site will be to open the channel up at both ends, opening it up to exchange from the river at the downstream end is predicted to provide significant Chinook habitat gains.

#### Threatened and Endangered Species

The Snohomish River contains several ESA listed fish species including Chinook salmon, Bull trout, and Steelhead. There are two bald eagle nests located within 800 feet of the project site. Protective measures are outlined in the Bald Eagle Habitat Management Plan.

#### Archaeological Preservation

A review was completed of the subject tax parcels listed in the application in unincorporated Snohomish County regarding cultural/archaeological findings. No direct "hits" were revealed in the DAHP information available to us. The Washington State Department of Archaeological and Page 5 of 8 Historic Preservation (DAHP) have developed a predictive model to help determine areas which may have a high probability of containing previously unknown archaeological materials. Snohomish County Planning and Development Services (PDS) use this model to assist its citizens in identifying properties which may contain such materials. Upon submittal of any type of permit involving ground disturbing activity, you will be advised whether your property or development site is located within an area predicted to have very high archaeological sensitivity. The tax parcels where the project is located were found to be predictive sites and as such, I've included Archaeological Sites Advisory - Assistance Bulletin #103, which is advisory in nature.



### Shoreline Designation

The Snohomish County Shoreline Management Program (SMP) designates this reach of the Snohomish River as Aquatic [within ordinary high water mark (OHWM)], Natural [adjacent to the river at north end of project Rural Conservancy [south and inland of the Rural Conservancy]].

### Consistency with Shoreline Master Program Restoration Element

Snohomish County has determined that the project is a watershed restoration project pursuant to SCC 30.44.120(1)(o), and meets the definition contained in RCW 89.08.460.

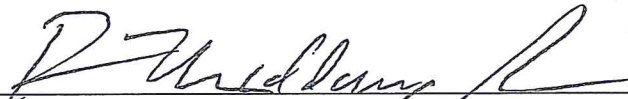
### Exemption Approval and Conditions

This Shoreline Permit Exemption is hereby granted and conditioned pursuant to authority granted by the Shoreline Management Act of 1971. The Shoreline Permit Exemption is conditioned as follows:

1. Nothing in this exemption shall excuse the applicant from compliance with any other federal, state or local statutes, ordinances, or regulations applicable to this project. Other permits and approvals may be required for this project.
2. Best management practices for temporary erosion and sediment control shall be in place for the full extent of the project.
3. Construction equipment shall be fueled, maintained and stored in a fashion to minimize the potential for spills of hazardous materials into a critical area and buffer.
4. Snohomish County shall be promptly notified if any possible archaeological data is uncovered during excavation or development. An Unanticipated Discovery Plan shall be on file and appropriate crew personnel be trained in recognition of cultural resources.
5. Monthly monitoring of site conditions shall occur into spring and PDS contacted if remedial work is required.
6. Comply with the conditions of the 4/25/16 Bald Eagle Habitat Management Plan.
7. Comply with the conditions of Snohomish County permits 16-101998 LDA and 16-101999 FZ.

7/7/16

Date



Randy Middaugh, Principal Planner

cc: Washington Department of Fish and Wildlife (attn.: Jamie Bails)